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CHANCELLOR KENT AT YALE

Chancellor Kent (Yale 1781) was essentially and typically a Yale man. In every step of his industrious and useful life he illustrated the training of Yale, and, on many occasions throughout that life, from the beginning to the end, he took occasion to give testimony of his indebtedness to his Alma Mater. He was a Yale man also by heredity. His father, Moss Kent, was a graduate of Yale of the Class of 1752.¹ His grandfather, the Rev. Elisha Kent, who was born in 1704, was also a graduate of Yale, of the Class of 1729.² He himself writes of his grandfather as "a Presbyterian minister who was well educated at Yale College,"³ and there can be no reasonable doubt, I think, but that the Chancellor's great-grandfather, John Kent, of Suffield, and the latter's father, Samuel Kent,⁴ the first American ancestor, who settled in Gloucester, Mass., in 1644, would also have been graduates of Yale had there been, in their day, any Yale to be graduated from!

I think that there is a general impression among many that the Chancellor was rather more related to our sister university of Columbia, but this is due undoubtedly to the fact that what may be said to be the crowning work, "the bright, consummate flow'r," of his distinguished labors were his immortal "Commentaries on American Law," which were the result of, and had their origin in, the justly celebrated course of lectures which he delivered at Columbia after his enforced retirement from the Bench at the age of sixty years, in 1823. But this merely illustrates the fact, of which we have no dearth of modern instances, that Columbia was then, as

1. *Biographical Sketches of the Graduates of Yale College with Annals of the College History*/By/Franklin Bowditch Dexter/New York/Henry Holt & Company/(Hereinafter cited as *Dexter's Annals*.) Second Series, p. 287.

2. *Dexter's Annals*, First Series, p. 384.

3. *17 Magazine of American History*, 247.

4. *Dexter's Annals*, First Series, p. 384.



CHANCELLOR KENT

From the pastel portrait by James Sharpless
Made when the Chancellor was about twenty-five years of age
Original in the possession of Mr. William Kent
of Tuxedo Park, New York

now, astute in the choice of the seminary from whence to draw its great teachers and administrators of the law. Its deservedly famous school of law was founded by a Yale man, Theodore W. Dwight, of the Yale Law School; and it is too well recognized to require comment that that school was established upon its sound foundation and reared to fame by the learning and ability of Dr. Dwight.¹ And, as we all know, that same school, at the present day, is ably presided over by its Dean, Prof. George W. Kirchwey, a Yale graduate of the famous Class of '79.

But no one can review the life, or study the writings, of Chancellor Kent without becoming impressed with the fact that he was essentially, in training and in character, a product of this university; and that he himself most abundantly admitted it and gloried in it. He peculiarly illustrated in his life and labors that spirit which we are proud to call, and I think, may justly and without undue arrogance call, the Yale spirit. In this we by no means mean to say that the spirit we thus cherish does not exist elsewhere. On the contrary, it does exist, and we are happy many a time and oft to recognize it in our sister universities; but we love to think of it as particularly, perhaps, existent at "dear old Yale," where it is certainly ever zealously cultivated. His thoroughness of research, his steadfastness of purpose under adverse circumstances and prosperous alike, his abhorrence of, and entire freedom from, sham, or "posing" of any kind, his careful deliberation in weighing all the facts before reaching a conclusion, and above all, the cheerfulness and kindness that clarified and illumined all his life, these are the qualities which go to form what we love to call the spirit of Yale, and these are the qualities which are most manifest in the whole life of Chancellor Kent.²

It would be far beyond the scope of such a paper as this, not to say immeasurably beyond the powers of your humble correspondent,

1. The Columbia Law School was founded November 1, 1858, by Dr. Theodore W. Dwight (Yale, Law), and almost from the beginning attracted great attention and large numbers of students. By 1875, it had enrolled 573 students and was generally recognized as one of the first law schools of the country. *The Green Bag*, Vol. I, p. 141. Dr. Dwight was at the head of this school thirty-three years, from its foundation in 1858 until 1891, the year previous to his death. *New International Encyclopædia*, Vol. VI, p. 557.

2. Chancellor Kent was of a peculiarly happy disposition. He veritably seemed to revel in work and to rejoice in labor. One of his favorite lines was the encouraging exhortation of Aeneas to his fellows in the midst of their vicissitudes: "*Haec olim meminisse juvabit.*" *Aeneid*, Book I, v. 203. We find it inscribed in the Chancellor's handwriting in his diaries later referred to (*Kent Manuscripts, infra*, p. 314), and everywhere he gives evidence that he cherished and cultivated their spirit.

to even attempt to do justice to the tremendous subject of the life and works of Chancellor Kent, but it has been thought that a brief review, somewhat historical in its nature, of the Chancellor and of his career, particularly as it touched most closely his Alma Mater, might not be uninteresting or unprofitable.

Mr. Joline, in his able and charming paper on "Martin Van Buren, the Lawyer," which he read before the New York State Bar Association at its annual meeting in 1905,¹ tells us that it is a good thing for such an association as that (and I think it may be said that it may be equally a good thing for a professional journal like this) "to turn for a moment from the learned essays, of whose worth and dignity we are all profoundly sensible, in order to review by way of historical reminiscence the careers of those who adorn the first century of our jurisprudence. . . . Such studies may not add materially to the sum of our knowledge, but they are useful in the promotion of the brotherly spirit and of the professional pride which every well-constituted Bar should possess and cherish."

Mr. Justice Edward Patterson, Presiding Justice of the Appellate Division of the Supreme Court of the State of New York for the First Department, wrote in 1873 a "Sketch of the Law Institute," a large and excellent association of lawyers in the City of New York.² In the course of that sketch, which will well repay perusal, Judge Patterson gives brief accounts—all too brief, alas, for us—of the various Presidents of the Institute, including Chancellor Kent, who was its first President (1828-1829) and in the course of this account Judge Patterson says that "of his [Kent's] course at college we have no account." This was true when Mr. Justice Patterson wrote his sketch, but since then some interesting data have become accessible upon this period. In 1898, Chancellor Kent's great-grandson, Mr. William Kent of Tuxedo Park, N. Y., wrote a very charming and agreeable memoir of the life of his distinguished ancestor.³ In 1891, there was published the diary of Dr.

1. *The Autograph Hunter/and/Other Papers/by Adrian Hoffman Joline/* Privately printed/Alderbrink Press, Chicago/MCMVII/*Martin Van Buren, the Lawyer*, a paper read before the New York State Bar Association at its annual meeting, January, 1905. *Annual Report of the Association for 1905*. Vol. XXVIII, p. 182.

2. This sketch is, as may well be imagined, from the character and ability of its author, a most charming one, and may be found printed as an introduction to the catalogue of the Law Institute Library, published in 1874.

3. *Memoirs and Letters/of/James Kent, LL.D./late Chancellor of the State of New York/author of/Commentaries on American Law, etc./by his great-grandson/William Kent/of the New York Bar/Boston/Little, Brown & Company, 1898/(Hereinafter cited as *Memoirs*.)*

Ezra Stiles, who was President of Yale College during almost all of the four years that the Chancellor was a student there,¹ and, in 1904, through the generosity and public spirit of the family of the descendants of the Chancellor, a large and most valuable collection of manuscript letters, journals and other memoranda of the Chancellor, were deposited in the Library of Congress, and there have been with the most loving and enlightened care assorted and safeguarded in the Bureau of Manuscripts under the direction of Mr. Worthington C. Ford. Among these manuscripts are quite a number which refer to the Chancellor's life at Yale, and bear testimony to his high appreciation, increasing as life went on, of the advantages he derived from his course there. In a number of journals he recounts the details of visits to New Haven at Commencement times and at other times, during which his whole attention was devoted to the College and those connected with it.²

Thus it is that we are enabled to get at first hand some insight into the life of the boy who was to become the immortal man.

Chancellor Kent was born July 31, 1763, at the house of his father, Moss Kent, in the Precinct of Fredericksburgh, in the County of Dutchess, State of New York.³ At the age of five years, he was sent to Norwalk, Conn., to school. Here he lived with his grand-

1. *The Literary Diary of Ezra Stiles, D.D., LL.D./President of Yale College./Edited under the authority of the corporation of Yale University/by Franklin Bowditch Dexter, M.A./(Three volumes, 1769-1781.) New York/Charles Scribner's Sons/1901/(Hereinafter cited as *Stiles' Diary*.)*

2. These manuscripts of Chancellor Kent were given to the Library of Congress in 1904 by Messrs. William and Edwin C. Kent of Tuxedo Park, N. Y., the great-grandsons of the Chancellor. The letters have been arranged and mounted in eleven volumes. There are about 970 of them, some from the most distinguished men of the time, including Daniel Webster, Henry Clay, John Quincy Adams, William Wirt, Charles Sumner, William H. Seward and Charles O'Connor. The journals or diaries were kept by the Chancellor in small, plain, blank books. There are fourteen of these, and each is preserved in a stiff, leather-covered box. They cover a period, not continuously, from 1797 to 1847, the year of his death, in the eighty-fourth year of his age. Among the memoranda is an interesting paper in the handwriting of the Chancellor, entitled by him, *Chronological Memoranda*, giving the dates of the principal events in his life from his birth until his second appointment as Professor of Law in Columbia College, after his enforced retirement from the Bench at the age of sixty, in 1823. See Note 3, page 330, *infra*. (The manuscripts will hereafter be cited as *Kent Manuscripts*.)

3. The particular region, after the manner of the rural communities of that day, was then known as "the Oblong." It is at present the village of Doanesburg in the Town of South-East, County of Putnam, N. Y., on the Connecticut border. The territory now embraced in the Town of South-East was originally known as Phillips' Patent, and afterwards as Phillippi. This was its name at the time the future Chancellor entered Yale; and thus it is

father (his mother's father), Dr. Uriah Rogers, a physician of Norwalk, until the spring of 1772, and, as he says himself: "passed nearly four years in an English school and in innocent and youthful sports." He adds that "the government of my grandfather was pretty strict; his family, after the manner of the day, was orderly, quiet and religious."¹ When he was about nine years old, on the 28th of July, 1772, he went to reside with his uncle, John Kane, Esq., in Pawling Precinct,² and here he continued his studies, and, as he tells us, "commenced to study Cordery³ and the Latin tongue."⁴ He remained there until April, 1773, and was then sent to Danbury to a Latin school under the Rev. Ebenezer Baldwin (Yale 1763),⁵ a learned, gallant and distinguished brother of the Chancellor's beloved friend and classmate, the equally learned and distinguished Judge Simeon Baldwin (Yale 1781),⁶ who was the grandfather of the Hon. Simeon E. Baldwin, at the present time Chief Justice of the Supreme Court of Errors of Connecticut, and an honored and beloved professor in our own law school. Chancellor Kent has told us something of the high regard and affection he felt for this preceptor in the address which he delivered before the Phi Beta Kappa Society at New Haven upon the occasion of the fiftieth reunion of his class in 1831.⁷

At the risk of prolonging this article unduly I must ask you to pause with me to hear these words, for they seem to me in a remarkable degree to reflect honor equally upon the orator and his subject, and upon the Alma Mater which nourished and trained them both.

After giving us an account of the origin and foundation of the

that we find him entered on Dr. Stiles' roster as Jacobus Kent—Phillipi. *Infra*, p. 318. *The Birthplace of Chancellor Kent*, etc., a paper by William S. Pelletreau, containing an interesting letter by the Chancellor, with autograph maps of the region of his birth, written in 1846 to his cousin, John Cullen Van Rensselaer, Esquire, 17 *Magazine of Am. History*, 285.

1. The Chancellor's memorandum account of the principal events in his life. *Kent Manuscripts*, Vol III. *Memoirs*, p. 7.

2. Mr. Kane had married Sybil, one of the sisters of the Chancellor's father, and from this union are descended the distinguished family of the name in the State of New York, including Dr. Elisha Kent Kane, the famous Arctic explorer, and Mr. Grenville Kane of Tuxedo Park, N. Y.

3. *Corderius Maturin, Select Century of Corderius' Colloquies*, Latin and English, by John Clarke. London. 12mo. *Lowndes' Bibliographer's Manual of English Literature* (1858) Vol. I, p. 523.

4. *Memoirs*, p. 7.

5. *Dexter's Annals*, Third Series, p. 4.

6. *Dexter's Annals*, Fourth Series, p. 178.

7. An/Address/Delivered at New Haven/Before the Phi Beta Kappa Society/September 13, 1831/by James Kent/New Haven./Printed by Hezekiah Howe/1831./Published at the request of the Φ B. K. Society/A printed copy may be found in the Yale University Library.

College and of its distinguished founders and of its Presidents, the speaker calls our attention to the fact that it is not only to the Presidents that we owe our debt of gratitude, but that the instructors as well, in more humble spheres, contribute in an invaluable degree to the development of the student.

"The tutors," he tells us, "in every period of the College history, have been very efficient instructors, and though many of them have been, at the time, 'to Fortune and to Fame unknown,' yet it is certain that the College has been much indebted for the elevation of the standard of moral sentiment, for the cultivation of correct taste, and for the formation of some of the most illustrious of its pupils, to the diligent, steady, painful and unobtrusive counsel and efforts of that meritorious class of teachers."

And then it is that, having mentioned Mr. Baldwin as among these tutors, the learned Chancellor continues as follows:

And suffer me for a moment to bring to recollection from among this class of men, the Reverend Ebenezer Baldwin, of Danbury, for it is to that great and excellent man that the individual, who has now the honor to address you, stands indebted for the best part of his early classical instruction.

Mr. Baldwin was a tutor in this College for the period of four years, and he settled as a minister in the First Congregational Church in Danbury, in the year 1770. He was a scholar and a gentleman, of the fairest and brightest hopes. He was accustomed to read daily a portion of the Hebrew Scriptures and he was extensively acquainted with Greek and Roman Literature.

His style of preaching was simple, earnest and forcible, with the most commanding and the most graceful dignity of manner; and if I can trust to my own memory, he was pursuing in the pulpit a steady, methodical and comprehensive view of the whole system of Christian Theology. His zeal for learning was ardent, and his acquisitions and reputation rapidly increasing, when he was doomed to fall prematurely in the flower of his age, and while engaged in his country's service. Though his career was painfully short, he had lived long enough to attract general notice and the highest respect by his piety, his learning, his judgment and his patriotism. Mr. Baldwin took an enlightened and active interest in the rise and early progress of the American Revolution. His Thanksgiving Sermon in the Autumn of 1775 was so excellent, so encouraging and so appropriate that it was called for and printed at the expense of a leading member of the Episcopal Church and it now remains deposited among the documents of the New York Historical Society.¹ In the impending and gloomy campaign of 1776 he was

1. The text of this sermon was from Habakkuk III: 17-18:

"Although the Fig Tree shall not blossom, neither shall Fruit be in the Vines, the Labour of the Olive shall fail, and the Fields shall yield no Meat; the Flock shall be cut off from the Fold, and there shall be no Herd in the Stalls: yet I will rejoice in the Lord, I will joy in the God of my Salvation."

This sermon was printed in 1776 in a pamphlet of 42 pages, and may be found in the New York Historical Society's *Bound Pamphlets*, Vol. 551. The title page of the pamphlet is as follows:

incessant in his efforts to cheer and animate his townsmen to join the militia, which were called out in the defense of New York. To give weight to his eloquent exhortations, he added that of his heroic example. He went, voluntarily, as a Chaplain to one of the militia regiments. His office was pacific, but he nevertheless arrayed himself in military armor. I was present when he firmly and cheerfully bade adieu to his devoted parishioners and affectionate pupils. This was about the first of August, 1776, and what a moment in the annals of the country! There never was a period more awful and portentous. It was the very crisis of our destiny. No occasion could have afforded better proof, or a more unerring test of a patriot's zeal and magnanimous devotion. The defense of New York had then become desperate. An enemy's army of thirty thousand men, well disciplined and well equipped, was in this vicinity ready to overwhelm it. General Washington, in his letter to Congress of the third of August, stated that his army fell short of eighteen thousand men, and part of them were extremely sickly, and that the circumstances around him were melancholy and distressing. Mr. Baldwin was in the American camp, in the suburbs of New York, when the British Army landed on Long Island in the night of the 21st of August, and I heard his letter read at the time containing the notice of that event and of the awful thunder-storm which accompanied it, and hung over the camp for hours, spreading terror and death, as if the physical as well as moral elements of destruction were involved in angry commotion. Defeats, retreats and sickness disheartened and rapidly reduced and dispersed our little army, part of which had been miserably equipped and wasted by disease even from the beginning of that terrible campaign. The thirteen or fourteen regiments of Connecticut Militia, scantily filled in the first instance, soon became fatally reduced by sickness, insubordination and impatience under the service; and they were finally discharged on the 24th of September. Mr. Baldwin fell a victim to the sickness that prevailed in the army, and he had only strength sufficient to reach home, where he died on the first of October, 1776, at the age of thirty-two, honored by the deepest sympathies of his own people and with the public veneration and sorrow.

At the time of the death of the Rev. Mr. Baldwin, Chancellor Kent was in his thirteenth year, and had read, he tells us, Eutropius, Justin and Cornelius Nepos and Virgil and had made progress in Latin exercises. After the death of Mr. Baldwin he continued his studies under Mr. Ebenezer White at Danbury, Mr. Ross at Stratfield, and again with Mr. White at Newton, until he entered Yale College in September, 1777. It will be observed that he was then about one month more than fourteen years of age.

President Daggett was then rounding out his term of eleven years as President of the College, and in March, 1778, Dr. Stiles

The Duty of Rejoicing/under/Calamities and Afflictions/considered and improved/in a/Sermon/preached at/Danbury/November 16, 1775/A day set apart for Thanksgiving in/The Colony of/Connecticut/by Ebenezer Baldwin A.M./Pastor of the First Church of Christ in Danbury/New York/Printed by Hugh Gaine, Bookseller and/Stationer, at the Bible and Crown/in Hanover Square/1776/

accepted the office of President, being inducted into that station on the 8th of July following. Under date of that day President Stiles made up a catalogue of the faculty and students of the College as they then existed¹ and there we find² the Class of 1781 enrolled as "Recentes." This seems to me a much nicer designation than the word we now use! Why should it have been changed? If it had not, how many of us would have been spared the little sting of mortification when our friends addressed us in the days when we felt, perhaps, more important than at any other time in our lives since, by the sarcastically intoned name of "Freshman!"

Well, these "Recentes" were twenty-nine in number and among them we find "Jacobus Kent—Phillipi."³

As is well known, the work of the students of the College was frequently interrupted during the Revolutionary War by the military operations in the vicinity of New Haven. The Chancellor tells us himself in a note to the *Φ B. K.* oration that he was in New Haven and saw the British troops in the act of landing at West Haven early on the morning of July 5th, 1779. He tells us that James Hillhouse, who was graduated in 1773, and was in after-life a Senator in Congress from Connecticut and "who still lives as venerable for his moral worth and goodness as he has through life been admired for zealous, distinguished and disinterested public service," commanded on that day the 2nd Company of the Governor's Foot Guards; and that they, by their prompt co-operation with the militia and volunteers, compelled the British troops to take a circuitous route of nine miles before they could enter and plunder the town. The Chancellor adds that among the volunteers were former President Daggett, "who fought, was wounded, taken prisoner and maltreated."⁴

The inauguration of President Stiles on July 8, 1778, marked the reassembling of the College after a long period of dispersion, and Dr. Stiles, in his inaugural address, took occasion to congratulate his audience upon that fact. But it was again dispersed in July, 1779, and, during the whole period of Chancellor Kent's attendance

1. *Stiles' Diary*, Vol. II, p. 284.

2. *Idem*, p. 286.

3. See page 314, *supra*, note. President Stiles in this catalogue tells us that on July 15, 1778, Yale College consisted of 132 students, of which 123 were present and 9 were absent. *Idem*, p. 286.

4. *Phi Beta Kappa Oration*, p. 39. For a more prolonged account reference may be made to a work entitled *Yale/and/her Honor Roll/in the/American Revolution,/1775-1783,/including original letters, record of service and/biographical sketches/by/Henry P. Johnston./New York./Privately printed/1888./Press of/G. P. Putnam's Sons/New York/*

between September, 1777, and September, 1781, the College was not open for regular work more than half the usual time; and, indeed, President Stiles tells us that the Commencement at which Chancellor Kent's class was graduated, September 12, 1781, was the first public Commencement in his Presidency and the first public Commencement during a period of seven years.¹

Chancellor Kent thus describes the condition of the College:

The country was so unsettled and disturbed from 1776 to 1781, and the means of subsistence were so difficult that the College was not open and in regular exercise more than half the usual time. But even the collegiate terms broken and interrupted as they were, proved sufficient to give the students a taste for classical learning and philosophical science, and to teach them how to cultivate their own resources in the various pursuits and duties of life. President Stiles' zeal for civil and religious liberty was kindled at the altar of the English and New England Puritans and it was animating and vivid. A more constant and devoted friend to the Revolution and independence of this country never existed. He had anticipated it as early as the year 1760 and his whole soul was enlisted in favor of every measure which led on gradually to the formation and establishment of the American Union. The frequent appeals which he was accustomed to make to the heads and hearts of his pupils, concerning the slippery paths of youth, the grave duties of life, the responsibilities of man, and the perils and hopes and honors and destiny of our country, will never be forgotten by those who heard them; and especially when he came to touch, as he often did, with "a master's hand and prophet's fire" on the bright vision of the future prosperity and splendor of the United States.²

In this respect, also, Judge Simeon Baldwin, in his letter to the Hon. William Kent, to which we shall presently refer again, said:

It will be remembered we were in college during part of the Revolutionary War, and all the classes were for a time convened for safety in separate country towns, in the center of the State. James Kent and myself joined the class in Glastonbury, under the care of Professor Strong as tutor, and continued together until the January vacation; were then dismissed and not called together again until June of the next year. We then met at New Haven and Dr. Stiles was inaugurated President.³

Yes, we can gather that President Stiles made frequent appeals to the students concerning "the slippery paths of youth" and "the grave duties of life" from an inspection of his own diary. Thus, under date of February 24, 1781, we find the following entry:

I gave three theological discourses this day as usual on Saturdays. At 11 o'clock I explained Vincent on Catechism to the Senior Class. In the afternoon a lecture to a select number of serious scholars, about 20, in

1. *Stiles' Diary*, Vol. II, p. 554.

2. *Phi Beta Kappa Oration*, p. 41.

3. *Memoirs*, p. 12.

the library from all the classes. At evening prayers I expounded a Chapter in the Confession of Faith, publicly, in the Chapel. The good Lord accompany with a blessing my Endeavours to impregnate the Minds of my pupils with doctrinal and experimental Knowledge in Divine and Heavenly things.

And under date of February 17, we find the following:

This Aft. a Chamber theol. Lecture—Subject Whether there are any Promises to the Doings of the Unregenerate.¹

President Stiles also gives us a roster of the students by classes for the year 1779-1780, and here he gives us² the location of their rooms. By this time the Chancellor's class had become Juniors and their numbers had been reduced to twenty-six from the number of twenty-nine which they possessed when "Recentes." We find that the Chancellor occupied room 14-E. This was in the only dormitory building then existing, which was then known as Connecticut Hall, afterwards known and hallowed to the memory of myriads of Yale Sophomores as old "South Middle." President Stiles tells us that 14-E meant room No. 14 on the east front of the building³ and Chancellor Kent, in later years, confirms the fact by many visits he paid to this same room.

In 1831, the year when the Chancellor returned and delivered the Phi Beta Kappa oration, there was published in New Haven an illustrated duodecimo volume upon the history and antiquities of that town.⁴ Chancellor Kent purchased a copy, and, following his delightful custom, so valuable to posterity, he copiously annotated it. This copy, replete with the most interesting notes and comments by its distinguished owner, is now in the possession of his great-grandson and biographer, Mr. William Kent, of Tuxedo Park, and to his generosity am I deeply indebted for being able to illustrate these pages with a few of the pictures from this book, rendered more interesting and illuminating by the autograph notes of the Chancellor.

The facsimile, here given from Barber's New Haven, together with the Chancellor's note in relation to it, gives, it will be seen, a clear and vivid idea of the buildings as they existed, not only in 1831, but in 1777-1781, and it will be noted that here Chancellor Kent marks his room, No. 14-E., as being the one on the northeast corner of the top floor of Connecticut Hall. As is well

1. *Stiles' Diary*, Vol. II, p. 512.

2. *Stiles' Diary*, Vol. II, p. 428.

3. *Idem*.

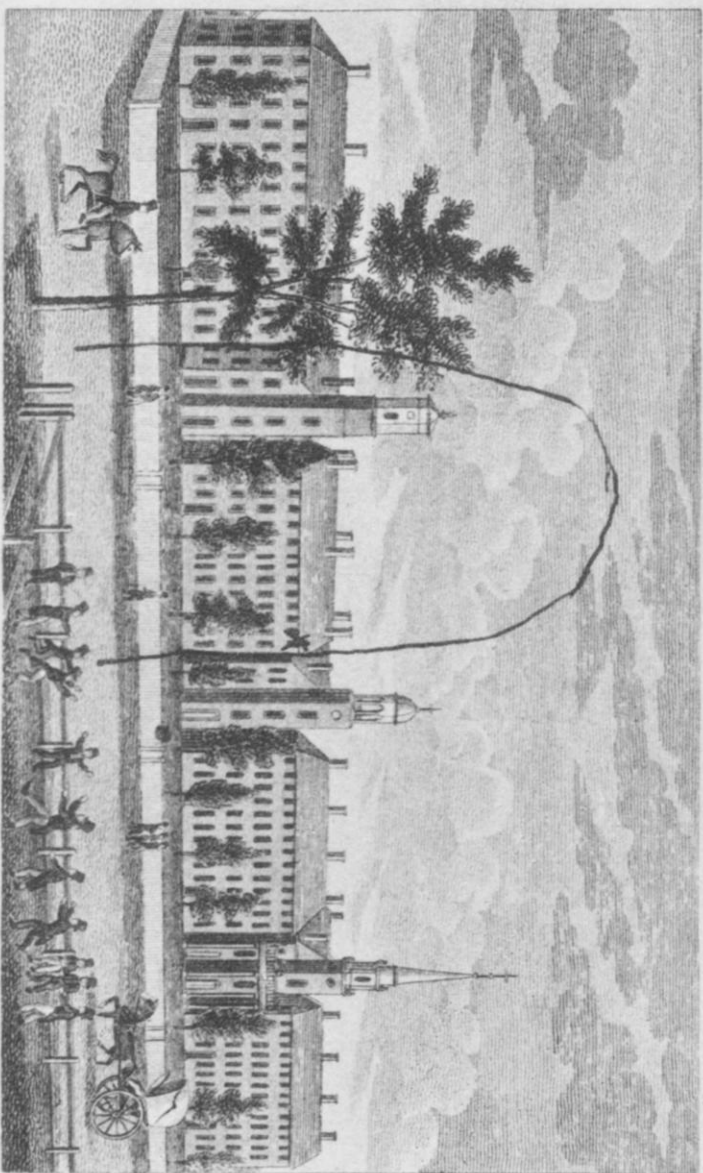
4. *History and Antiquities of New Haven*. (Conn.) from its earliest settlement to the present time./Collected and compiled from the most authentic sources/by J. W. Barber./Illustrated with engravings./New Haven/1831/.

When I lived at Yale College
from July 1778 to September 1781
the only Buildings now standing
were the Chapel & Connecticut
Hall being the two Buildings
embraced within my Black
Caves. The ~~steeple~~ tall Spire of
the Chapel has since been taken
down, & a shorter tower substituted.
So the 4th story of Connecticut
Hall was then with gambrel
windows in the roof. During
my two last Years Residence
I lived in the 4th story, front side
No. Room, marked thus &

Facsimile of Chancellor Kent's note in Barber's New Haven*
referring to the College Buildings shown on the opposite page

Original in the possession of Mr. William Kent
of Tuxedo Park, New York

*See note, page 320



YALE COLLEGE

The College Buildings of 1831

Facsimile from Chancellor Kent's copy of Barber's New Haven*

Original in the possession of Mr. William Kent of Tuxedo Park, New York

*See note, page 320

known, at least to every son of Yale, there is to-day in that room upon the west side of the mantle-piece a tablet commemorating the fact that there Chancellor Kent lived during the years 1780 and 1781; and on the east side of the mantle-piece is another tablet commemorating the fact that, in the same room, nearly forty years after, lived, during his college days, the venerable and honored Theodore Dwight Woolsey (Yale 1820) from 1846 to 1871, President of Yale.¹

Again, under date of June 22, 1781, Dr. Stiles, with his methodical care, made a catalogue of students with their classes and rooms for the year 1780-1781, and here our friends are Seniors and there are twenty-five of them, the number that were graduated.

Chancellor Kent, although a prolific writer on most other important subjects, wrote but little of himself. In the manuscript sketch of his life, to which we have referred, he devotes but a few lines to his college course.² But most fortunately for us, sixty-seven years later, in February, 1848, his distinguished classmate, Judge Baldwin, to whom reference has been made, in a letter addressed to the Hon. William Kent, the son of the Chancellor,³ supplied a charming and interesting account of the Chancellor's college life, which, in his own memoranda, the Chancellor himself dismissed with but a few words. Space will not permit my incorporating all of this interesting letter here, but it is well worth perusing *in toto* and can be found in Mr. William Kent's "Memoirs" at page 9. I cannot refrain, however, from quoting a few words from Judge Baldwin's mature estimate of his classmate. He says that he was first introduced to James Kent on the first Monday in May, 1773, at Danbury, that he was then about ten years of age, the youngest of the school, and "a friendly, social, innocently playful boy, beloved by all who knew little Jimmie Kent, as he was familiarly called." Judge Baldwin says that he was studious and attentive to all the

1. In his journal of his "Excursion to New Haven," September 12-15, 1831, when he went there to deliver the *Φ B. K. Oration*, the Chancellor tells us that, on that occasion, he ascended and visited this room, and adds: "My room-mates, when I was Sophomore, were Noyes and Tomlinson, and when I was Senior, they were Noyes and Wright, and they are all alive." *Kent Manuscripts*, Journal No. 10, 1829-1831. *Infra*, page 336.

2. *Kent Manuscripts*, Vol. III.

3. The Hon. William Kent, the Chancellor's only son, was a distinguished practitioner at the New York Bar, being for a time a partner of the Hon. Henry E. Davies, afterwards Chief Judge of the Court of Appeals. In 1841, Mr. William Kent became a Justice of the Supreme Court of the State of New York, and in 1846, he was appointed to the Professorship in Law at Harvard University, which had been theretofore held by Mr. Justice Story.

rules of the school and a good scholar in all the branches taught, and then continues:

We were then [after the death of the Rev. Ebenezer Baldwin, October 1, 1776] separated for one year and met as Freshmen of Yale College in 1777. Our class was small, consisting of young men grown up, most of them much older than either of us.¹ He, I think, was the youngest of the class, but was better fitted for his standing than most of them. While we were members of college the students were often dispersed and their studies interrupted in consequence of the war, but he still kept his standing in his class, and, to say the least, in all the classical studies, he ranked among the best. In history, in the *belles-lettres* studies, and in reading generally, he excelled them all. His attention to what he read was strict, and his memory was uncommonly retentive. It was the common remark of his companions that they could generally tell the author he last read by the style and matter of his next composition.

He wrote his compositions with great care, and in a pleasing, flowing style. But the rapid flow of his ideas often embarrassed him in public speaking, whether extemporaneous or *memoriter*. When preparing for public speaking, he has often requested me to hear him rehearse, and, by signal, to check him when speaking too rapidly, as he generally would, without knowing it, when he felt the spirit of the subject. On these occasions, when often checked, I have known him to sit down and weep; but he would try again and again, and by repeated trials, did learn, in a great measure, to regulate the rapidity of his speech, which, without attention, would, at times, be unintelligible. He left College universally beloved by his class and ranked as a scholar among the first.

Unfortunately, the "Kent Manuscripts" in the Library of Congress do not contain any letters of the future Chancellor written during his college years, nor have I been able to find any elsewhere. But those manuscripts do contain nine letters written to him by his father between December 4, 1779, and August 29, 1781, which manifestly bear witness to the sweet and confidential relations existing between the father and the son, and serve to make us all the more regretful that we cannot know the letters of the son to the father which drew them forth. These letters seem to me so interesting that, at the risk of encroaching unduly upon the space which the editors of THE LAW JOURNAL can give me, I shall venture to set them out here just as they appear in the originals. They are all addressed to "James Kent, student at Yale College in New Haven," and all bear the endorsement in the young man's hand, with the date of each, "From my Father."

1. Judge Baldwin was born in Norwich, December 14, 1761, and was now, therefore, but sixteen years of age. Kent, as we have seen, was but fourteen.

CAMPO¹ YE 4TH DECEMBER, 1779.

DEAR SON:

I Received your Letter of the 16th Ult. and also yours of 30th by the Post and shou'd have sent you those Articles you requested sooner, could I have got 'em. But I have since procured 'em by Loan except the Scale & Dividers, but I suppose your Scale & Dividers & Mr. Hazard's are at Mr. Crosby's at Philippi & I shall go up there in a few Days & hope to find 'em. You must endeavour to borrow or buy 'em at New Haven if they can't be found at Philippi. I send you by the Post 2 Vols Martin's Philosophy & Atkinson's Epitome also 100 Dollars and my black Jackett which I wou'd have got made at New Haven if you can buy Lining for I can get none here. I expect to go to Hartford within 3 or 4 Weekes after Mony and then hope to supply you with more. I hope you will make a wise Improvement of the Advantages you enjoy and be ever mindfull of the one Thing needfull.²

I am my dear Son your

Affectionate Father

(Signed) MOSS KENT.

CAMPO YE 3D MAY, 1780.

MY DEAR SON

I send you by Mr. Taylor the Post a Horse ye saddle bags and 91 Continental Dollars and I would have you get leave of the President to come home tomorrow so as not to be on expense with the Horse. I wish you wo'd buy Loweth's Grammar, and call at Curtiss's Tavern at Stratford and get a Bag with Some Hay Seed in it that I paid for Last Summer and bring it with you.

I am your Affectionate Father

(Signed) MOSS KENT.

CAMPO YE 26TH DEC. 1780.

MY DEAR SON

I send you by Mr. Taylor the Post £2:15:9 State mony & a paper of Ink powder & a Blankett. I have not got my Leather Curried yet so that I co'd not get you a pair of shoes—& if you can't do without a pair Immediately you must buy a pair at N. Haven perhaps it may be a fortnight before I can get 'em made. I have but this day dismis'd the mason and workmen. Polly has rec'd [torn out] Letters from her husband. His brother John [has] come to Philadelphia about 6 weeks ago & is daily expected here I wish you could be at home when he is here.

I am your affectionate Father

(Signed) MOSS KENT.

CAMPO YE 9TH JANY 1781.

MY DEAR SON

I send you by Mr. Taylor ye Post. 25/ & Wo'd Inform you we are all well. If you are willing to come home & see us I would have you hire a Horse if you can conveniently. I can keep the Horse well. You may

1. A village in the Parish of Green's Farms in Fairfield County, Connecticut, the home of the Chancellor's father at this time. *Dexter's Annals*, Second Series, p. 288.

2. To sit at Jesus' feet and hear His word.—St. Luke 10: 42, 39.

invite one of your Classmates to come home with you. Mr. John Henderson is not yet come we expect him daily.

I am your loving Father

(Signed) MOSS KENT.

28TH FEB. 1781.

MY DEAR SON

Inclosed I send you £4:2:9 State mony which is all the mony I have at present to spare which I hope will ans'r for a little while. You'll write me as you want it, & I shall endeavour to supply you. It gives me pleasure to do for my dear Children. I hope you will improve yr Time to the best advantage & be sure dont forget the one Thing needfull.¹ Strive to get yt Wisdom yt is from above, for if in this Life we only have hope, we are of all Creatures the most Miserable. I shall get you a pair of Shoes made in a few days. Mrs. Henderson rec'd a Letter Yesterday from her brother John. Dat: ye 1st: Instant. He says it is uncertain when he shall come as he is detained in transacting Business with Congress. The affairs of Congress with their Agent at New Orleans is committed wholly to Mr. John Henderson which is the cause of his being detained at Philadelphia. And indeed a great Betrustment for such a Youth.

I am your Loving Father

(Signed) MOSS KENT.

GREENFARMS 30TH AP. 1781.

MY DEAR SON

I send you a Horse & saddle & Bags by Mr. Tyler & have wrote to the President to let you come Home on Fryday next—Mr. Tyler will deliver you the horse in the forenoon on Fryday as he must ride him home, & bring him down on Fryday—I wo'd have you bring home every Article of Clothing you have in your custody.

I send you 12/ in silver mony & £4:3:0 in State mony which is all I had by me—hope it may answer your end. I have wrote to the Steward Mr. Attwater to send me a copy of my account current, you'll call on him for it to bring to me. I wish you cou'd buy some black Ball & bring home & a cake of shaving soap.

We have had a most agreeable visit from John Henderson for 14 days—A very accomplished Gentleman indeed. He wanted very much to see you.

I am your Loving Father

(Signed) MOSS KENT.

P. S. Your Classmate Isaacs was taken off by the enemy Sunday night.

WEDNESDAY MORNING 18TH JULY, 1781.

MY SON

Mr. Taylor the Post wanted my Waggon to bring some Rum from N. Haven. Therefore I thought it best to let him a Horse to go in the Waggon & for you to ride in the Waggon with him & bring home your bed & other Furniture.

I send you 17/ hard mony & wish you wo'd buy me 2 pair of shoe Buckells one for me & the other for Moss, cheap string ones—such as you

1. *Idem, supra*, p. 323, note.

think suitable for us. I think it best & cheapest Time to get home Your things now—

I am yr. Loving Father
(Signed) MOSS KENT.

15TH AUGT. 1781.

MY DEAR SON

I send you by Mr. Taylor the Post 10 hard Dollars which Mr. Deliverance Bennett was so kind as to lend me. I also send you those Buttons which I suppose you forgot to take along with you—I w^od have you write me a line by the Post & let me know whether you got those Guineas from Capt. Thorp, & if you are like to get a suit of Cloathes, & what you want from me. I shall endeavour to get all the money I possibly can for you.—

from your affectionate Father
(Signed) MOSS KENT.

29TH AUGT. 1781.

MY DEAR SON

I have sent by yr. Brother [sic] Saml Hazard £3.0.0 to Mr. Chipman in part payment of the goods you had of him & also £3.18.0 to Mr. Attwater & have wrote to him to wait till I can turn wheat into money for the rest, & to let the President know that he is made easy, which I hope will quiet him. I wish you w^od speak to Col. Drake & give my compliments to him—& see whether he would entertain your sisters, as they have a mind to come to Commencement.

from yr. affectionate Father
(Signed) MOSS KENT.

It seems beyond question from these letters that the same gentle, kindly and cheerful spirit, which, we have abundant evidence, the Chancellor exhibited toward all others, he also cherished and cultivated toward his father and his family, and in this connection and as illustrative of this fact, I venture to extract a letter which, many years afterwards, when a Justice of the Supreme Court of the State of New York, the Chancellor wrote from Albany where he was then residing to his brother, the namesake of his father, Moss Kent, then a Senator-elect of the State of New York. The Senator had accepted an invitation from Judge Kent to make his home with the latter during the session of the Senate, and, in response to a recent letter of Moss Kent stating the pleasant anticipations with which he looked forward to this visit, the Chancellor replied as follows:

ALBANY, DECR 29TH, 1799,

DEAR BROTHER:

Your letter is received and Elisha Kane says he executed your business with the Clerk and forwarded the Bills of Costs to Arch. Kane at Canejoharie. You cannot possibly anticipate with more pleasure than we do the approach of the third and last Tuesday in January. This past month of December has been rather solitary to us and I reckon upon your living with

me with the utmost pleasure. We are preparing everything to make your accommodations comfortable and pleasant. Yesterday your sister put up the curtains of your bed and prepared the room for you. My cellar is filled with provisions and my yard with wood. The Rumford fire place answers its end admirably and the office is always warm.

As the term approaches I am studying my cases and there are some very important questions that we judges are discussing and settling. I have, however, finished Butler's and Hargrave's *Co Litt.* and Juvenal almost, in addition to a great deal of miscellaneous reading and avocation and a good portion of visits. If you can any ways conveniently finish your county court business you had better be here early or the first week in term and attend the arguments in court. I have no doubt you will be well repaid by information. The second week the Senate meets and you will have your attention dissipated. The great Le Guen cause is to come before the Senate this winter and you will have to decide perhaps on very important points as an appellate judge.

Your sister and little Bess are well and anxious to have you come.

Your Affte.

(Signed) J. KENT.¹

And it is this kind and gentle and cheerful quality which caused the Hon. Philip Hone, distinguished citizen and Mayor of New York, to write of Chancellor Kent in the latter's seventy-second year as follows:

I would that Heaven had made *me* such a man. . . . His constitution sound, the happy result of good habits and a cheerful disposition, and the consciousness of purity of heart and uniformly virtuous intentions. I do not know so perfect a model as Chancellor Kent, or a man so much to be envied.²

But the Commencement exercises of the Class of 1781 must have been rather a serious matter, for President Stiles makes the following reference to them under date of September 12, 1781:

Public commencement here. The first public Commencement in my Presidency. Exercises 3 hours in the forenoon & 3 hours P. M. I conferred the academic degrees upon 25 Bachelors of Arts & 46 Masters. Total 71.

And then follows a long account copied from the "public prints" of the exercises in detail. They were indeed so learned and of such length that they would certainly shock the "Bachelor" and even the "Master" of the present day.³

Among many other things,⁴ "Chancellor Kent was the Cliosophic

1. *Kent Manuscripts*, Vol. I.

2. *The Diary of Philip Hone, 1828-1851*, Edited, with an introduction/by Bayard Cutting, New York. Dodd, Mead & Co., 1889. Two Volumes. Vol. I, p. 124.

3. *Stiles' Diary*, Vol. II, p. 554.

orator in English. Judge Baldwin delivered the salutatory oration in Latin. There was an anthem set to music by Mr. Samuel Dwight, (Yale 1773), a Greek oration by Mr. Perkins, a forensic disputation on the question as to 'Whether the literature of the Antients excelled that of the Moderns,' by Mr. Kent and Mr. Gridley on the affirmative, and Mr. Stebbins and Mr. Channing on the negative, and an Oration upon the Oriental Learning, in Hebrew, Chaldee and Arabic by the President.¹ A Latin Valedictory Oration also was pronounced by Mr. Tutor Meigs, and the President closed the exercises of the day with prayer."²

That, however, it produced no unpleasant effect upon the Chancellor is evident from two letters which he wrote respectively in September, 1785, and September, 1787, on two subsequent Commencement occasions to his classmate, Judge Baldwin, in New Haven,³ expressing, in earnest terms, his regret at not having been able to attend the exercises.

In the first of these letters, after speaking of his anxiety to hear from Mr. Baldwin, and lamenting "that I am not only prevented hitherto from the pleasure of seeing you, but also find such long interruptions in our correspondence," and saying that "the older, therefore, I grow, my friend, the more do I prize you," he refers to the Commencement lately passed as follows:

Your commencement at New Haven must have been very lately. I should like very well to be present once more at the exercises of such a day and I should be allured much more from motives of curiosity than of instruction, provided the President was to deliver another Arabic oration. He always excited my affection from the loftiness of his manners and the goodness of his heart, but my admiration used to be carried to a very high pitch from my idea of the immensity of his learning and his researches as an antiquarian. He has many fanciful notions which I shall not undertake to refute, nor to defend. But he is the ornament of the age as a *scholar* and I believe those who are entirely delivered from the pedantry of the schools, and whose ideas are enlarged by history and experience, and created by just criticism and sound philosophy will still see cause to view him with great veneration. I ardently wish that glory and reputation may crown the labors of that, our parent university, and that such moderation and caution may attend the distribution of academical honors that they may be courted

1. The manuscript of this Hebrew oration upon the Hebrew literature among Dr. Stiles' papers shows that it was originally composed in 1778, but this was the first opportunity for its delivery! *Stiles' Diary*, Vol. II, p. 554.

2. *Stiles' Diary*, Vol. II, pp. 512, 539, 547, 554, 556.

3. I am indebted for the privilege of being able to quote from these letters here to the generous kindness of the recipient's distinguished grandson, Judge Simeon E. Baldwin of New Haven, in whose possession the original letters are.

with emulation and conferred as a sincere reward. . . . Adieu. Remember me and believe that I love you.

And in the second letter, dated Poughkeepsie, September 7, 1787, the Chancellor writes:

Commencement I recollect is at hand, in which you are going to recall some of your old sensations and probably embrace some of your old friends. Who can tell my wishes that I was to be of the number? The thought of that scene awakens most deeply my friendly sentiments. You and one or two more recur to me with a tenderness that almost unmans me. I love you most sincerely and my breast refutes the system that makes self-love the foundation of morals. I feel myself a patron of the doctrine of disinterested affection. My dear friend, may you and I never forget to have an ardent friendship as long as we remain worthy of each other—may we never cease to cultivate the heart as the source of all our happiness here, and we may make our profession subservient to a most honorable ambition and an unlimited benevolence for mankind.

Yours most affectionately

SIMEON BALDWIN, ESQ.

(Signed) JAMES KENT.

P. S. This letter is conveyed by Mr. Marsh, by whom I hope for the favor, if not inconvenient, of the usual academical publications of Theses, etc. I could wish for a catalogue that I may thereby hear of the existence at least of my acquaintance. . . .

It is not difficult to find the cause of this abstention from these Commencement gatherings, which he yearned so to attend. It was the *res angusta domi* that held him in its inexorable grip. He told something of it to Judge Baldwin in a letter of September, 1784, (note that this is again a Commencement season), which Judge Baldwin quotes in the account of his classmate already referred to.¹ In that confidential letter to his friend the future Chancellor writes:

I am yet a poor clerk to an attorney, and all my property is confined to my chest; but I have a thirst for knowledge and a determination to put in a claim for some of those honors which imprint immortality on characters; and this thirst and this determination, I trust, under Providence, will lead forward to some of those good and generous actions, and that sacred integrity of conduct and principle, which will render me not a dishonorable object to the few who love me.²

Again, nine years later, in October, 1793, he wrote his brother:

. . . I am very healthy, but my business comes on slowly and living is very high. The beef in market is 7*d.*, 8*d.*, and 9*d.* a pound, and other things in proportion. But the most serious of all our expenses is wood. It is now 18*s.* a load at the wharf, and four loads make a cord. The expense of riding, sawing, etc., is about 3*s.*; so that every load of nut wood, which is the only wood brought here that will burn, costs me 21*s.* a load. This

1. *Supra*, page 321.

2. *Memoirs*, p. 17.

extraordinary dearness of wood is owing partly to the great influx of people from the West Indies, etc., but principally because last winter was open, and there was no sledding to bring the wood down to the landings up the river. I endeavor to keep up my spirits all I can, but low spirits and discouragements frequently press so hard upon me as to retard my studies. However, I will try a year or two yet, and if it will not do here, I must go into the woods somewhere, as you have done.¹

That this was the true and real reason of his abstention is made more clearly manifest from the fact that, as we shall see, for years afterwards, when he had become more at ease in his circumstances, we shall find that he attended the College Commencements and rejoiced in their proceedings with the right and true spirit of the most loyal and enthusiastic Yalensian. The manuscript diaries to which I have referred contain accounts of these visits to his Alma Mater at quite frequent intervals from as early as the year 1813 almost to the end of his life, the last visit recounted being that to the Commencement of 1842, when the Chancellor had been out of college sixty-one years and was seventy-nine years of age. Some of them we will examine later. But we may pause to say here that the tone and spirit of the letters last quoted are indicative of the man and of his character. Poverty might deprive him of the gratification of his dearest wishes, but it could not dismay him. In the midst of it he was serenely happy and cheerful as he was in the later days of his affluence. It seemed a characteristic of Chancellor Kent throughout his whole life that difficulties of whatever kind and nature, not only did not dismay him, but seemed, on the contrary, to incite and encourage him to effort. It seemed as if, instead of shrinking before difficulties, he veritably welcomed them, so great was his intellectual enjoyment in searching with industrious and unerring logic the way by which, of necessity, they must be and would be overcome. No labor of research was too great for him, if, through it, he could find the weak points in the obstacles that opposed him, and by it could arm and fortify himself with the precedents and authorities whereby he could overcome them. Another trait or characteristic in this connection impresses itself upon the reader of Chancellor Kent's work, and that is that he never realized or admitted defeat until the last effort had been made. As his younger successors in his beloved Alma Mater have sometimes put it; he never was beaten until the last ball was pitched!

The future Chancellor at this time was living in Poughkeepsie and was a clerk in the office of the Hon. Egbert Benson, a distinguished lawyer, and at that time Attorney-General of the State of

New York.¹ He says that he was placed there by his father in November, 1781, almost immediately after leaving college. He was admitted to the Bar of New York in January, 1785, and in April of that year he married Miss Elizabeth Bailey, daughter of Col. John Bailey of Poughkeepsie, New York. In his memorandum he says:

I was admitted to the bar of the Supreme Court in January, 1785, at the age of twenty-one, and then married, without one cent of property; for my education exhausted all my kind father's resources, and left me in debt. \$400, which took me two or three years to discharge.²

On the 12th of April, 1785, he entered into partnership with Gilbert Livingston, Esq., of Poughkeepsie, and remained in this connection until he moved to the City of New York, April 27, 1793.³

1. Chancellor Kent in a valuable historical address which he delivered before the New York Historical Society, on the occasion of his election as the fifth President of that society, December 6, 1828, has this to say of Judge Benson:

"Egbert Benson rendered eminent service to this state (New York) through the whole period of the American War. He was zealous, firm, active and extremely useful from the very beginning of the contest. In 1777 he was appointed Attorney General, and in that office, in the Legislature, and in Congress, his devotion to the public interest was unremitted. The value of his services as a member of the Legislature throughout the war was beyond all price, and in the able, constant, accurate and faithful discharge of the duties of that station he has scarcely an equal in the legislative annals of the state."

2. *Memoirs*, p. 22.

3. In the *Kent Manuscripts*, Vol. III, above referred to, page 314, note, is found the following *Chronological Memoranda* in the handwriting of the Chancellor:

1763—July 31—I was born at Fredericksburgh in Dutchess County.

1772—July 28—Begun to study Cordery in Latin and English at my Uncle Kane's.

1773—May—Went to a Latin School at Danbury under the tuition of the Revd. Ebenezer Baldwin.

1777—July & August studied at Newtown with the Revd. Ebenezer White.
Sept.—Entd. Yale College.

1781—September, took my Bachelor's Degree.

Nov. 10th, entered as clerk to Mr. Benson at Poughkeepsie.

1785—Jany.—Admitted an Atty. of the Sup. Court at Albany.

April 3d.—Married Miss Elizabeth Bailey.

12th—Entered into partnership with G. Livingston.

1786—Oct. 10th—Begun housekeeping at Poughkeepsie.

1787—April—Admitted a Counsellor in the Sup. Court.

1789—Oct. 23rd.—My brother Moss left my house where he had lived for three years.

1790—April—Elected a Member of Assembly for D. County.

1791—March 25th—My daughter Elizabeth born.

That his married life was an extremely happy one and that his wife, through all the long years of their association, exerted a most happy influence upon his life and character, shines through all he writes. The "Kent Manuscripts" contain a number of letters between the husband and wife, which abundantly illustrate this fact, but I will quote but two as typical of them all. On Monday, September 17, 1804, the future Chancellor, then Chief Justice of the Supreme Court, residing in Albany, wrote to his wife, who was visiting her parents in Poughkeepsie, in part as follows:

DEAR BETSY:

I did not intend to have written to you so soon for fear you would be too highly elated and flattered by such marked attention from so great a man as myself. But I must run the risk of spoiling you for the pleasure of the letter. . . . Bess [their little daughter] sticks close to me and walks out with me in all my walks. . . . It is glorious times to study here!—no noise, no intrusive wife, no rattling Will, no call for market. A piece of canned beef got on Saturday will last some days yet. . . . It is possible I may get a whim in my head by the beginning of next week to jump aboard a sloop with Bess and come down. My love to your parents and sister.

Yours truly,

(Signed) J. KENT.¹

1792—April—Elected again a Member of Assembly.

1793—Jany.—I was an unsuccessful candidate for Congress.

April 12th—Dissolved my partnership with G. L.

27th—Removed to N. York.

May 26th—My daughter died.

Dec. 24th—Elected a Professor of Law in Columbia College.

1794—Feby. 4th—My father died.

March 18th—Admitted Sol. & Counsel in Chancery.

April 5th—Admitted Counsel in Circuit Court of U. S.

1796—Feby. 1st—Appointed a Master in Chancery.

16th—My second daughter Betsy born.

April—elected a Member of Assembly for N. York.

— Elected a Trustee of the N. York Library.

1797—March 28th—Appointed Recorder of N. York.

May—Elected a Governor of the Hospital.

1798—Feby. 6th—Appointed a Judge of the Sup. Court.

April 7th—Removed from N. York to Poughkeepsie.

1799—Oct. 31st—Removed from Poughkeepsie to Albany.

1804—2nd July—Appointed Chief Justice.

1814—Feby.—Chancellor.

[May, 1794 had a degree of LL.D. in Columbia College, N. Y.

In 1811 or 1812 do. in Harvard University.

In 1819 do. in Dartmouth College.]

1823—July 31—Retired from the office of Chancellor, being that day sixty years of age.

— Oct. 29th—Removed from Albany to the City of N. Y.

— Nov.—Reappointed Professor of Law in Columbia College.

1. *Kent Manuscripts*, Vol. III.

On Saturday evening, September 22nd, Mrs. Kent replied as follows:

DEAR HUSBAND:—

With all your imperfections on your head I love you and long most ardently to see you. To tell the truth I grow quite homesick and hardly know how I shall spend all next week here. This place is very pleasant, but all its charms to me are fled. Take away my family and friends and I should scarcely ever wish to see it again. . . . The truth is the gentleman I have the infinite satisfaction of calling my husband will give a zest to any place, or it will have none for me if he is not there. You will perceive I do not lose all recollection of you in my absence. Your image grows brighter every day on my imagination. I fancy I see you sitting this evening in your solitary office shivering with cold with dear little Bess lying on the chairs waiting for you to go to bed, while you are turning over your unfinished pages. My dear, blessed little daughter, I am afraid she is lonesome and unhappy. . . . I had the honour of receiving your short agreeable letter of Monday last and should have been very glad to have received another this evening, though I suppose you think that would be giving me too much pleasure in one week. . . . Your lovely little boy is very well and is highly delighted. He goes with his grandpa to the barn and in the garden and if possible is sweeter than ever. I think very often of my dear little Bess. I almost regret I did not bring her along. I know her pa will do all he can to make her happy. A week will soon pass away and she will have her mother back again. I hope Peggy gives you comfortable meals. Be patient, my darling husband. Though we laugh and talk a great deal, there is not a human being values you half as much as your devoted wife,

(Signed) E. K.¹

Chancellor Kent was of particularly agreeable personal appearance. The frontispiece shows him as a youth of twenty-five during the struggles of his early life at the Bar. This portrait was done by Sharpless in pastel and has never before been reproduced, and we are indebted to the kindness of the owner of the original, Mr. William Kent of Tuxedo Park, for the privilege of being able to reproduce it here.² Another portrait of Chancellor Kent was

1. *Kent Manuscripts*, Vol. III.

2. James Sharpless, artist, was born in England about 1751, and died in New York City February 26, 1811. He was intended for the priesthood, but studied art. He came to this country in 1786 and resided here almost constantly thereafter. He is buried in the church yard of St. Peter's Church in Barkley Street, New York City. He made portraits in pastel of many of the leading men of the time, including General Washington, John Adams, Thomas Jefferson, James Monroe, Anthony Wayne, Horatio Gates, James Wilkinson, James Clinton, De Witt Clinton, Chancellor Livingston, Aaron Burr, Alexander Hamilton and Chancellor Kent. It is said that after finishing a portrait Sharpless usually made another of the same subject either as a replica or otherwise, and that these second portraits he kept as a personal collection of his own. It seems that a portion of this personal collection, including the portraits above mentioned, came into the hands of a

made by Rembrandt Peel in 1843 when the Chancellor was eighty years of age. It is in the possession of Mr. William Kent of Tuxedo Park, and a reproduction of it forms a frontispiece of his "Memoirs." A portrait painted by John W. Jarvis is owned by Yale. A fine bronze statue of the Chancellor stands in the gallery of the central reading-room or rotunda of the Library of Congress at Washington. The statue is a very effective one, and a cut of it may be found in *Harper's Weekly* for August 1, 1896 (Vol. 40, p. 752).¹

But we have already digressed too far and we must return now to our particular business, which is the relation of this great man to Yale. The whole of the Phi Beta Kappa oration will form absorbingly interesting reading for any Yale man, but space prevents our giving it all as we should like to do. We must leave it now with the Chancellor's concluding words, with which he ended this brilliant achievement:

Within the last half century this college has partaken largely of the general impulse communicated to society. It has made rapid advances in the number of its pupils, in the elevation of the standard of admission, in the enlargement of the limits of collegiate learning, and in accommodating its course of instruction to the wants and wishes of the age, and to the methods and spirit of the sciences of the present day. The amount of graduates, since the commencement of this century, almost equals the number that received a collegiate degree during the whole course of that which preceded it. History, antiquities and political economy are now academically taught. Chemistry, mineralogy and geology were utterly unknown, within college walls, half a century ago. They are now regarded as sciences of great prac-

gentleman of Virginia, probably as security for a loan made to Sharpless' widow, and became scattered during the Civil War. Some forty of them, including those above mentioned, were exhibited at the Centennial Exhibition in Philadelphia in 1876, and these were purchased for the National Museum in Independence Hall. The portrait of Chancellor Kent in this collection is not by any means a replica or copy of the frontispiece. It is undoubtedly a portrait of the Chancellor, but manifestly made at a later period of his life, and the clothes and the method of cutting the hair are altogether different.

1. There are sixteen of these bronze figures in this gallery and they form a very dignified and impressive feature of the ornamental scheme. They are as follows:

Representing

- Religion— Moses and St. Paul;
- Commerce— Columbus and Robert Fulton;
- History— Herodotus and Gibbon;
- Art— Michael Angelo and Beethoven;
- Philosophy—Plato and Lord Bacon;
- Science— Newton and Henry;
- Poetry— Homer and Shakespeare;
- Law— Solon and Chancellor Kent.

tical utility, and, under the guidance of genius, erudition and taste, they are cultivated with enthusiastic ardor and astonishing success. The progress of science generally within the time of memory is almost incalculable, and it seems to leave in comparative insignificance, the accumulated knowledge of past ages. We can estimate the space that has been gained by the flood, by looking upon those neglected marks,—those old and stubborn intellectual monuments, which remained stationary, in proud solitude, while the current swept forward on its course. It is the tendency of the general diffusion of knowledge, and of the inquisitive, restless, and business character of the age, to elevate the importance of that mechanical philosophy, and of those practical sciences, which gratify with the greatest celerity, and in the greatest abundance, our coarser wants and comforts. But we may rest assured that the efficacy and value of intellectual pursuits increases in a much greater proportion. Artificial distinctions and exclusive privileges are gradually losing their hold on society, by the operation of the knowledge and spirit of the times. The masses of free and enlightened human beings are constantly enlarging, and they all lie under the dominion of moral force, and are capable of being swayed by argument and eloquence flowing from intellects of superior cultivation. Knowledge and virtue are the rightful directors of human action, and they are a result of a liberal and vigorous system of public education.

It must be the wish of all the true sons of this venerable university, that it may fulfill its high purpose, and continue to flourish in health and vigor, with expanding views, and increasing luster, down to the latest posterity.

There is published with the oration a note of the Chancellor's upon his college class and other college mates, then both living and dead, which, because of the distinction of the author and of those it catalogues, ought not to be omitted. It is as follows:

Of my college class, which graduated in 1781, and consisted of twenty-five, there are twelve still living in good health, and eight of them attended this commencement. Of those eight persons, four had not until then, seen each other for fifty years. Of the students who were in college during the whole or some part of the period in which I was there, and who in after life attained distinguished public honors by their talents and learning, *and are now dead*, may be selected

Joel Barlow, the author of the "Vision of Columbus," and American Minister in Europe.

Stephen Jacob, Chief Justice of the Supreme Court of Vermont.

Josiah Meigs, President of the University of Georgia.

Asher Miller, a Judge of the Superior Court of Connecticut.

Noah Smith, a Judge of the Supreme Court of Vermont.

Zephaniah Swift, author of a Digest of the Laws of Connecticut, and Chief Justice of that state.

Uriah Tracy, Senator in Congress from Connecticut.

Mason Fitch Cogswell, President of the Medical Society of Connecticut.

Roger Griswold, Governor of the State of Connecticut.

Daniel Farrand, a Judge of the Supreme Court of Vermont.

Israel Smith, Governor of the State of Vermont.

John Lovett, Member of Congress from New York.

Samuel Austin, President of the University of Vermont.

Josiah Masters, Member of Congress from New York.

Jedediah Morse, author of the *American Geography*.

George Bliss, a distinguished Jurist and first Judge of the County of Hampden in Massachusetts.

Among the scholars embraced in the period I have mentioned, *and still living*, and who have been selected to high public trusts, or been pre-eminently distinguished for their literary productions, are the names of

Ezekiel Gilbert, Member of Congress.

Ebenezer Sage, Member of Congress.

Noah Webster, author of the *American Dictionary*.

Oliver Wolcott, Secretary of the Treasury of U. S.; a Judge, and Governor of Connecticut.

Jonathan Brace, Member of Congress.

Elizur Goodrich, Member of Congress and Professor of Law.

Jonathan Ogden Moseley, Member of Congress.

Simeon Baldwin, Member of Congress and Judge of the Superior Court of Connecticut.¹

Stephen Titus Hosmer, Chief Justice of the Sup. Court of Connecticut.

Asher Robbins, Senator in Congress.

Lewis Burr Sturges, Member of Congress.

David Daggett, Senator in Congress, Judge of the Sup. Court of Connecticut, Professor of Law.²

Abiel Holmes, author of *American Annals*.

John Cotton Smith, Member of Congress, Judge of the Sup. Court of Connecticut, Governor of that State, President of the Board of Foreign Missions.

Ray Greene, Senator in Congress.

The college, and even the State and nation, have reason to be proud of such a roll of illustrious names. The individuals were nurtured amidst the excitements and tumult of the American war. There were other scholars educated within that period, who proved to be men of sound learning and sterling worth, without having attracted attention by their ardent ambition or proud elevation. They have been contented to pass down the stream of life in a gentle current, without noise or *éclat*. But in the various walks of private life, and in the discharge of the more quiet duties of professional employment, or as humble and devoted ministers of the gospel, they have been of great utility, and the source of inestimable blessings diffused around the sphere in which they have moved.

1. *Supra*, p. 315.

2. Judge Daggett—United States Senator 1813-1819; Chief Justice of the Supreme Court of Connecticut 1832, and First Kent Professor of Law at Yale 1826-1848. He was the great-grandfather of Mr. David Daggett (Yale 1879), one of the most highly esteemed citizens of New Haven, and the genial, beloved and efficient presiding genius of the Graduates' Club. A History of the Class of Seventy-nine/Yale College/During the thirty years from its admission into the Academic Department/1875-1905/by its secretary/F. W. Williams/Published for the class/1906/The University Press, Cambridge, U. S. A.

In the "Kent Manuscripts"¹ the Chancellor gives a journal of his "Excursion to New Haven" for the purpose of attending the semi-centenary of the graduation of his class, and this I also feel to be so interesting and enlightening that it can in no manner be omitted from this paper, and it therefore follows in full:

Monday, September 12, 1831, I left the dock at the foot of Maiden Lane in N. York in the steam-boat *Hudson*, Captain Beecher for New Haven at 12 o'clock noon. It was a cool, pleasant day. Young Franklin Miller went with me, and I found on Board Mrs. Dodge (widow), Isaac Lawrence, Esq., Mr. Mix of New Haven, young Dwight, M. Joaquin Morqueva, the Colombian President, & a great crowd. I arrived at New Haven at dusk & went up to Professor Silliman's, where I had been invited to stay.

Tuesday, September 13th. A fine day. I arose early and walked around the Town and it appeared enchanting. It is a large and elegantly built Town in large Squares and adorned with thick and lofty trees, being elms and sycamores. It is *rus in urbe*.

At 11 a.m. I attended the meeting of the Ph. B. K. in the 3d story of the old chapel. R. M. Sherman, Esq., was President. There I saw Ed. Everett and a crowd of the civilians and clergy and Professors. The question was on abolishing the secrets of the Society. Professor Silliman, Doctor Ives, Revd. Mr. Robbins, the Revd. Mr. Bacon of the 1st Presbyterian Congregation & Judge Daggett spoke. The rule of secrecy was abolished with acclamation. We then marched in procession to the North Church on the Green [a picture of the church and Green bearing a manuscript note by the Chancellor will be given in the second part of this paper in the April issue. —Ed.] which I found full of Ladies and Gentlemen. The President of the Society and the chaplain and I ascended the pulpit and after a short prayer I delivered my address. It consumed an hour and 12 minutes. We then went and dined at the Franklin House which is a superb Establishment. We then went to the College Lyceum and there was a large and general meeting of the Alumni of Yale College and I presided. The object was upon raising \$100,000 by subscription, the sums payable in 4 annual instalments, the first to be paid on 1. Jan'y. 1832. President Day, Professor Silliman, the Minister of the 1st Congregation, Mr. Pilkin, Lucius C. Duncan, Esq. of N. Orleans, La., spoke. [I subscribed \$400.]

Wed. Sep. 14th. I took my early morning walk around Town. I attended commencement and sat on the stage with the dignitaries in the Forenoon and then I dined at Judge Baldwin's with my old classmates. There were eight of us who dined together, viz: Baldwin, Boardman, Huntley, Kent, Noyes, Stebbins, Tomlinson, Wells. Channing, Isaacs, Williams and Wright were absent but alive and in health. Judge Baldwin read us an excellent letter from Wright who lives in the state of Ohio in the N. East part in a flourishing Country, and he is very richly and neatly settled. He writes like a very pious man. . . .

That evening I was at a Party at President Day's and there was another at Professor Silliman's. There I saw the Revd. Mr. Stewart, the Naval Chaplain, and conversed with Joaquin Morqueva and with the Revd. Mr. Bacon of the 1st Congregation, who is a very fine mercurial little fellow. The

Revd. Mr. James Noyce of Wallingford lodged with me. I was introduced to Gov. Peters, Lieut. Gov. Fairchild, Judge Boardman and a great many Reverend Divines, and I became quite familiar with Professor Everett.

Thursday, Sep. 15th. I visited Judge Daggett, Mrs. Tucker, old Mr. Hillhouse who resides with his son in an elegant seat; & Mr. Silliman took Professor Everett & me over the Bridge to East Haven, and showed us geological *detritus* & fine views and Fair Haven full of Oyster Beds.

I entered on Board the Steam Boat *Superior* at 1 P.M. It was crowded with near 400 passengers & it rained. There were visitors and scholars returning from Commencement. There were the Patrone¹ and his children, Prof. Everett, Pres. Wheland, Prof. Westerle, Franklin Miller, Zacharias Lewis, Isaac Lawrence, Major Hoops, Young Mrs. Dwight. We arrived after dark.

Total of my Expenses \$7.

(To be concluded in the April issue of the Journal.—Ed.)

1. Undoubtedly either the Hon. Stephen Van Rensselaer III (1764-1839) or his son, General Stephen Van Rensselaer IV (1789-1868). Both were successively known as Patroon of Rensselaerwick. The former, it will be noted, was just one year younger than the Chancellor. He was graduated at Harvard in 1782, just one year after the Chancellor's graduation at Yale. He, however, was one of the contributors to the fund raised in 1822 for the establishment of the Dwight Professorship (Baldwin's History of Yale College, (1831) p. 316. For the grant creating the Patroons of the New Netherlands, July 19, 1640, see *New York Colonial Manuscripts*, Vol. I, p. 119. Original in the Royal Archives at the Hague. File West Indie.